IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION

NO. 5:09-CR-117-1H

UNITED STATES OF AMERICA,)	
)	
)	
v .)	
)	
)	ORDER
HAROLD EARL BLONDEAU,)	
)	
Defendant.)	
)	
)	

This matter is before the court on defendant's objections garnishments [DE #68] and superseding objections garnishments filed pro se [DE #79]. Responses and replies have filed. This matter was referred to United States been Magistrate Judge David W. Daniel for an evidentiary hearing and entry of a Memorandum and Recommendation ("M&R"). Judge Daniel conducted a hearing on October 18, 2011, and entered an M&R on November 1, 2011, recommending denial of defendant's objections. No objections have been filed to the M&R and the time for doing so has expired.

A full and careful review of the M&R and other documents of record convinces the court that the recommendation of the magistrate judge is, in all respects, in accordance with the law

and should be approved. Accordingly, the court adopts the recommendation of the magistrate judge as its own and for the reasons stated therein, overrules defendant's objections to garnishment. All other pending motions are deemed moot.

The Clerk is DIRECTED to enter the following:

ORDER OF GARNISHMENT

A Writ of Garnishment, directed to the Garnishee T.D.

Ameritrade has been duly issued and served upon the Garnishee.

Pursuant to the Writ of Garnishment, the Garnishee T.D.

Ameritrade filed its Answer on November 10, 2010 confirming custody of Account No. XXX-XX82222, Rollover Individual Retirement Account in the name of Harold Earl Blondeau, containing an approximate liquidation value of \$208,856.82.

The court has carefully considered the matter and having overruled defendant's objections, it is ORDERED that Garnishee T.D. Ameritrade pay the sum of \$26,185.28 to satisfy the outstanding judgment.

Checks should be made payable to:

United States Department of Justice

And mailed to:

United States Attorney's Office

Financial Litigation Unit

310 New Bern Avenue

Suite 800, Terry Sanford Federal Building

Raleigh, North Carolina 27601-1361

In order to ensure that the payment is properly credited, please include the following information on the check: No. 5:09-CR-117-1H.

This 30^{T} day of November 2011.

Malcolm J. Howard

Senior United States District Judge

At Greenville, NC #26